

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KERVIN SOKO,

Plaintiff,

v.

ORDER

MIKE POMPEO,
SECRETARY OF THE UNITED STATES
DEPARTMENT OF STATE

18-cv-347-jdp

Defendant.

Pro se plaintiff Kervin Soko, a Liberian citizen residing in the United States, filed this lawsuit against the Secretary of the United States Department of State, challenging the denial of his daughter's visa application by a consular officer at the United States embassy in Monrovia, Liberia. I granted him leave to proceed on claims for declaratory and injunctive relief under the Administrative Procedure Act. Dkt. 4. Defendant has filed a motion to dismiss Soko's complaint under Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction or, in the alternative, under Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted. Dkt. 11. Soko has not responded to defendant's motion. This calls into question whether Soko wants to continue with the lawsuit.

Before I dismiss the case with prejudice for Soko's failure to prosecute it, I will give him a short time to explain whether he still wishes to prosecute this lawsuit. If he does, he will have the same deadline to (1) show cause why he was not able to submit a timely response to defendant's motion to dismiss; and (2) submit a brief opposing defendant's motion.

ORDER

IT IS ORDERED that plaintiff Kervin Soko may have until October 25, 2018, to respond to this order as discussed in the opinion above.

Entered October 12, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge